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Attorneys for Defendants and Counterclaimants
 Dorothy Tovar and Adrenaline Sports, Inc.

IN THE UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

R & R PARTNERS, a Nevada Corporation,
 and the LAS VEGAS CONVENTION AND
 VISITORS AUTHORITY,

Plaintiffs,

v.

DOROTHY TOVAR, an individual, and
 ADRENALINE SPORTS, INC.,

Defendants,

AND RELATED COUNTERCLAIMS

Case No. CV-N-04-0145-LRH(PAL)

**DECLARATION OF DOROTHY TOVAR IN
 SUPPORT OF DEFENDANTS MOTION FOR
 SUMMARY JUDGMENT**

I, Dorothy Tovar declare as follows:

1. I make this declaration based on events of which of I have personal knowledge. If called as a witness, I would be willing and able to testify to the following facts.

2. I started working for Adrenaline Sports, Inc. in 1997 as a sales representative. In 1998, I bought into the company and became one of its owners. I decided at that time that I wanted to create a women's line of clothing and worked on creating the current Get it Wet and Pure

1 Pleasures lines.

2 3. In 1997, I attended a MAGIC clothing industry tradeshow in Las Vegas, Nevada with
3 my business partners and a graphic/clothing designer. It was approximately at that time that I first
4 heard the phrase "What Happens In Vegas Stays In Vegas." On the trip, as well as trips thereafter,
5 we used the phrase "What Happens In Vegas Stays In Vegas" among ourselves. I used the phrase
6 routinely, beginning in 1997, when returning from tradeshow and answering inquiries from friends
7 and families about what happened while in Las Vegas. Using the phrase was a quick, catchy way to
8 answer their questions without going into the details about the trip.

9 4. While attending the MAGIC clothing industry tradeshow, I decided that the "What
10 Happens In Vegas Stays In Vegas" phrase could be used to create a clothing line. During the
11 summer of 2002, I approached my business partner, Dennis Roediger, regarding the idea. Mr.
12 Roediger didn't think it was an appropriate time to start investing the company's time and money into
13 an additional product line and suggested that we focus selling our existing products.

14 5. In February 2003 I decided that I was going to create a "What Happens In Vegas
15 Stays In Vegas" clothing line regardless of Mr. Roediger's opinion.

16 6. I had experience in the clothing business and in applying for trademark registrations
17 and knew the steps to take to protect the "What Happens In Vegas Stays In Vegas" slogan. I filed a
18 federal trademark application in February of 2003 without informing Mr. Roediger. I had not heard
19 the phrase "What Happens Here Stays Here" before I filed my trademark applications.

20 7. After filing the application, I began designing the clothing line. I worked on picking
21 out different fonts for the slogan and the garments to use. I continued to use my current screen
22 printer. The design process took some time but by April of 2003 we were ready to sell a handful of
23 products. At that time I started marketing the clothing line, including to some of the major Las
24 Vegas hotels, casinos, and specialty boutiques.

25 8. When marketing the line, I wrote letters to the buyers of these retail stores to
26 introduce the company, to inform them that I owned the Nevada State trademark registration, as well
27 as had pending federal registrations for the "What Happens In Vegas Stays In Vegas" slogan. With
28 that letter I also provided either an image or a sample product. No one ever questioned whether I

1 was associated with the Las Vegas Convention and Visitors Authority.

2 9. I own several domain names that offer various products, including the
3 "What Happens In Vegas Stays In Vegas" clothing line. These domain names are:

4 PurePleasure.net / .ws

5 WhatHappensInVegasStaysInVegas.com / .net /

6 WhatHappensInVegas.net / .info / .biz

7 10. Sales of the "What Happens In Vegas Stays In Vegas" clothing line from the websites
8 have been minimal. The majority of the sales are to wholesale buyers who offer the products for
9 resale. In 2004, Adrenaline Sports, Inc.'s total gross sales were \$174,429.00. Of that amount,
10 \$174,152.00 was sales to wholesalers for resale. As these amounts indicate, the total taxable
11 transactions through the websites were minimal. A true and copy of Adrenaline Sports, Inc.'s Sales
12 and Use Tax Return filed with the State of California Board of Equalization for 2004 is attached
13 hereto as Exhibit A.

14 11. I previously created various products using parody slogans, all of which are offered
15 mainly on strap tanks and for direct sale via the websites. It is very clear these tanks are meant to be
16 parodies of various people, music and old movies that have heavily inspired my creation of these
17 slogans.

18 12. My latest idea is for a "What Happens At Spring Break Stays At Spring Break"
19 clothing line. Like with "What Happens In Vegas Stays In Vegas," I filed a federal trademark
20 application for the slogan in March of 2003. We anticipate we will be able to get this clothing line to
21 retailers before Spring Break 2007.

22 13. I declare under penalty of perjury under the laws of the United States of America that
23 the foregoing is true and correct and that this declaration is executed on February 27, 2006, at
24 Folsom, California.

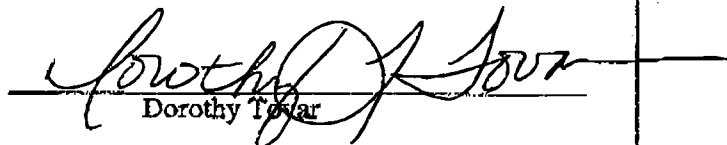
25 
26 Dorothy Taylor
27
28

EXHIBIT A

BCE-401-EZ (SIF) 3321 POWER N ROAD, SUITE 210
REV. 23 (9-03) SACRAMENTO CA 95826-2889

SPORT FORM - SALES and USE TAX RETURN

DUE ON OR BEFORE Jan 31, 2005 for Year - Jan through Dec 2004 4204
[FOLD 15-819-084] 7
Mail To: SR KH YOUR ACCOUNT NO. 97-828732 3

SEZ
BOARD OF EQUALIZATION
P.O. BOX 942879
SACRAMENTO CA 94279-8002

3450 PALMER DR # 4-2, CAMERON PARK
ADRENALINE SPORTS, INC.
5541 RALSTON WAY
PLACERVILLE CA 95667

STATE OF CALIFORNIA
BOARD OF EQUALIZATION

BOARD USE ONLY
RA-TT LGE AGG
RA-BTR ALCS REP
EFF
09998-000-0000
2
01/99
RT-EZ
862

If the above information is incorrect or your business has changed, please call us at: 916-227-8700

Would you like to e-file or pay by credit card?

Please read the instructions on the back before completing the return. If you have deductions other than those listed on lines 4 through 9, you cannot use this return. To obtain a copy of the proper return, please contact our Information Center at 800-400-7115.

PLEASE ROUND CENTS TO THE NEAREST WHOLE DOLLAR

1	Total (gross) sales	1	\$ 174,429 .00
2	Purchases subject to use tax	2	0 .00
3	Total (add lines 1 and 2)	3	174,429 .00
REC NO 4	Sales to other retailers for resale	4	\$ 174,152 .00
5	Nontaxable sales of food products	5	.00
6	Nontaxable labor (repair and installation)	6	.00
7	Sales to the United States Government	7	.00
8	Sales in interstate or foreign commerce	8	177 .00
9	Sales tax (if any) included in line 1	9	.00
10	Total of exempt transactions (add lines 4 through 9)	10	174,329 .00
PM 11	Taxable transactions (subtract line 10 from line 3)	11	100 .00
12	Total sales and use tax [multiply line 11 by 7.250% (.07250)]	12	7 .00
13	Penalty (multiply line 12 by 10% (.10) if payment is made, or your tax return is filed, after the due date shown above)	PENALTY 13	— .00
14	Interest. One month's interest is due on tax for each month or fraction of a month that payment is delayed after the due date. The adjusted monthly interest rate is .00583 (7% divided by 12).	INTEREST 14	— .00
FE 15	Total amount due and payable (add lines 12, 13 and 14)	15	\$ 7 .00

IF YOU PAID BY CREDIT CARD AS DESCRIBED IN THE RETURN INSTRUCTIONS, CHECK HERE []

I hereby certify that this return, including any accompanying schedules and statements, has been examined by me and to the best of my knowledge and belief is a true, correct and complete return.

YOUR SIGNATURE AND TITLE: [Signature] TELEPHONE NUMBER: 530 677-1350 DATE: 1/31/05
PAID PREPARER'S USE ONLY: [Signature] PAID PREPARER'S TELEPHONE NUMBER: 530 677-1350
Make a copy for your records.

SEZ